

MESSAGE NO: 4094304

MESSAGE DATE: 04/04/2014

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-913

EFFECTIVE DATE: 03/19/2014

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing duty scope determination on certain new pneumatic off-the-road tires from the People's Republic of China (C-570-913).

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from the China Manufacturers Alliance ("CMA"). Commerce issued a final scope determination on 03/19/2014 that CMA's REM-8 on-road high-speed tires for mobile cranes, which CMA imports, are not within the scope of the countervailing duty order on certain new pneumatic off-the-road tires from the People's Republic of China (C-570-913).
2. Commerce determined that CMA's on-road high-speed tires for mobile cranes with the REM-8 pattern are outside the scope of the order because the scope is not intended to include tires designed for high-speed mobile cranes designed for on-highway use, and thus excludes CMA's on-road mobile crane tires designed for high-speed use. Moreover, the scope specifically limits covered tires for cranes to "on-site" mobile cranes designed for off-highway use. Therefore, CMA's product is not within the scope of the countervailing duty order on certain new pneumatic off-the-road tires from the People's Republic of China.
3. For all entries of on-road high-speed tires for mobile cranes not within scope that remain unliquidated on or after 12/17/2007, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to on-road high-speed tires for mobile cranes described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of on-road high-speed tires for mobile cranes entered, or withdrawn from warehouse, for consumption on or after 12/17/2007.
6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is

subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of certain new pneumatic off-the-road tires from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIII:AM.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party